

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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TERRANCE J. SHAW,

Plaintiff,

v.

KIMBERLY METZEN,

Defendant.

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ORDER

Case No. 13-cv-847-wmc

Plaintiff Terrance J. Shaw has submitted a certified inmate trust fund account statement for the six month period preceding his complaint. Accordingly, the court must determine whether he qualifies for indigent status and, if he does, calculate an initial partial payment of the \$350.00 fee for filing this case.

From the trust fund account statement plaintiff has submitted, I calculate his initial partial payment to be \$69.91. For this case to proceed, plaintiff must submit this amount on or before August 8, 2014.

If plaintiff does not have the money to make the initial partial payment in his regular account, he will have to arrange with prison authorities to pay some or all of the assessment from his release account. This does not mean that plaintiff is free to ask prison authorities to pay *all* of his filing fee from his release account. The only amount plaintiff must pay at this time is the \$69.91 initial partial payment. Before prison officials take any portion of that amount from plaintiff's release account, they may first take from plaintiff's regular account whatever amount up to the full amount plaintiff owes. Plaintiff should show a copy of this order to prison officials to insure that they are aware they should send plaintiff's initial partial payment to this court.

ORDER

IT IS ORDERED that,

1. Plaintiff Terrance J. Shaw is assessed \$69.91 as an initial partial payment of the \$350.00 fee for filing this case. He is to submit a check or money order made payable to the clerk of court in the amount of \$69.91 or advise the court in writing why he is not able to submit the assessed amount on or before August 8, 2014.

2. If, by August 8, 2014, plaintiff fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily.

Entered this 18th day of July, 2014.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge